

VZCZCXYZ0009
PP RUEHWEB

DE RUEHSF #0333 1811050
ZNR UUUUU ZZH
P 301050Z JUN 09
FM AMEMBASSY SOFIA
TO SECSTATE WASHDC PRIORITY 6123

UNCLAS SOFIA 000333

EUR/RPM FOR JESSICA FISHER

SENSITIVE

SIPDIS
E.O. 12958: N/A
TAGS: [OSCE](#) [PHUM](#) [PGOV](#) [KDEM](#)

SUBJECT: BULGARIA: INPUT FOR OSCE HUMAN DIMENSION MEETING

REF: A. SECSTATE 59944

¶1. (SBU) This cable provides post's concerns on human rights in Bulgaria in preparation for the OSCE Human Dimension Implementation Meeting (HDIM). This request comes at a sensitive time for the Bulgarian government. On July 5, Bulgaria will hold national elections, which will result in the formation of a new parliament and a new government. At the time of the OSCE meeting, a new government may just be gaining its footing. Given these pending developments, Post may need to update its recommendations for a pre-HDIM demarche to the new government.

Freedom of the Press

¶2. (SBU) Freedom of the press in Bulgaria continues to suffer from increased political influence, pressure from powerful economic interests, and intimidation of journalists. The close relationship between politicians and the business owners that continue to assemble media conglomerates is clearly reflected in blatantly biased and political reporting. The intimidation of journalists also remains a serious problem, particularly those that cover corruption and organized crime. As a result, many journalists self-censor their content or accept the bribes they are offered. To reverse the politicization of the media, reforms should make political financing more transparent and intimidation and physical attacks on journalists should be investigated more aggressively.

Corruption in the Judiciary

¶3. (SBU) Although generally meeting international and EU standards on paper, the Bulgarian judiciary remains weak and corrupted. A lack of political will to reform the judiciary makes improvement elusive. The system suffers from an overly formalistic criminal procedure code that makes it easy to avoid sentencing through delays and technicalities. The inconsistent application of the law and perception that decisions are for sale leaves most Bulgarians skeptical that the system can serve them. Improving the judiciary depends on stronger disciplining of judges, enforcing the new Code of Ethics, and amending the criminal procedures code. But most important is political will.

Vote Buying and Election Reform

¶4. (SBU) The June 7, 2009 European Parliamentary elections were accompanied by reports of widespread vote buying and/or voter manipulation (perhaps as high as 16% of the votes cast). The practice has continued, despite a persistent media campaign reminding voters that it is illegal. Media reports only a few arrests on charges of buying or selling votes following the elections for European Parliament. To ensure the legitimacy of elections, vote buying must be combated more vigorously. Current penalties do not serve as a deterrent and should be strengthened. In addition, elections laws should be strengthened to prevent abuses such as gerrymandering, unclear campaign financing and spending, and

allowing indicted criminals to run for office. Numerous NGO's and independent observers have flagged concerns over July 5 national parliamentary elections: vote buying; controlled or corporate voting (where businesses manipulate employees into voting for certain parties or candidates); and actual vote counting by the Central Electoral Commission - under current law, there is potential scope for abuse in smaller rural districts.

McEldowney